

STATE OF NEW YORK
OFFICE OF THE ATTORNEY GENERAL

ANDREW M. CUOMO
Attorney General

CRIMINAL JUSTICE DIVISION
Federal Habeas Corpus Section

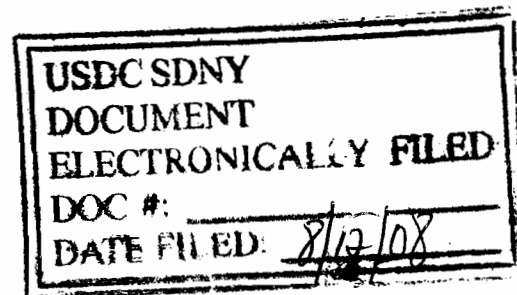
MEMO ENDORSED

Mr. Mota's Direct Telephone No.
212-416-8820

August 11, 2008

BY HAND

Honorable Theodore H. Katz
United States Magistrate Judge
Southern District of New York
500 Pearl Street, Room 1660
New York, New York 10007



Re: Mota v. Ekpe, No. 08 Civ. 3228 (RMB) (THK)

Your Honor:

I am an Assistant Attorney General in the office of Andrew M. Cuomo, Attorney General of the State of New York. By agreement with the New York County District Attorney's Office, I will be representing respondent in this habeas corpus proceeding. I am writing to request an additional three-week extension to answer the petition.

In May, Your Honor granted respondent's first request for an extension of time, and directed respondent to file his answer by August 25, 2008. I am now compelled to request a second extension, to September 15, 2008. The additional time is needed because I am preparing for a lengthy evidentiary hearing in another habeas matter, which is scheduled to begin in five weeks. In addition, by mid-September, I must answer petitions in four other habeas corpus matters.

I thank the Court for its consideration.

MEMO ENDORSED

Respectfully submitted,

Jodi A. Danzig
Jodi A. Danzig (JD-8126)

Assistant Attorney General

cc: Mr. Pedro Mota (by U.S. mail)
04-A-1649
Watertown Correctional Facility
23147 Swan Road
Watertown, New York 13601-9340

*The response to the Petition shall be
filed by 9/15/08. Any reply shall be
filed by 10/3/08.*

SO ORDERED

8/12/08

Theodore H. Katz

THEODORE H. KATZ
UNITED STATES MAGISTRATE JUDGE

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TO COUNSEL OF RECORD ON

8/12/08

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